

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

JT International, S.A.,
Petitioner,

v.

FONTEM HOLDINGS 1 B.V.,
Patent Owner.

Case IPR2015-01587
Patent 8,365,742 B2

**PATENT OWNER'S SUBMISSION OF CONFIDENTIAL EXHIBIT 2025
AND CURRENT EXHIBIT LIST**

IPR2015-01587

U.S. Patent No. 8,365,742 B2

Confidential Exhibit 2025 is filed herewith and designated as PARTIES
AND BOARD ONLY:

Ex. 2025	CONFIDENTIAL Settlement Agreement regarding JT International. S.A. and Fontem Holdings 1 B.V.
----------	--

Pursuant to 37 C.F.R. § 42.63(e), a current Exhibit List follows.

LIST OF EXHIBITS

Petitioner's Exhibits	
Exhibit	Description
1001	U.S. Patent No. 8,365,742 (“’742 patent”)
1002	Declaration of Jeffrey A. Schuster, Ph.D.
1003	U.S. Patent No. 6,155,268 (“Takeuchi”)
1004	U.S. Patent No. 6,234,167 (“Cox”)
1005	U.S. Patent No. 4,947,874 (“Brooks”)
1006	U.S. Patent No. 2,057,353 (“Whittemore”)
1007	EP 0 845 220 (“Susa”)
1008	WO 2007/078273 A1 (“Liu”)
1009	‘742 Prosecution History, Preliminary Amendment
1010	‘742 Prosecution History, Non-final Office Action
1011	‘742 Prosecution History, Amendment
1012	‘742 Prosecution History, Supplemental Amendment
1013	‘742 Prosecution History, Examiner Interview Summary
1014	‘742 Prosecution History, Notice of Allowance
1015	‘742 Prosecution History, Certificate of Correction
1016	Fontem Litigation Joint Claim Construction Chart
1017	Claim Construction Rulings in CV 14-1645
1018	Webster’s New World Collegiate Dictionary (“detach”)
1019	Oxford American Dictionary & Thesaurus (“frame”)

1020	McGraw-Hill Dictionary of Scientific and Technical Terms (5th ed.
1021	Academic Press Dictionary (“permeability”) (“solid”)
1022	American Heritage Dictionary (“atomize”) (“end”) (“substantial”)
1023	Merriam-Webster.com (“aerosol”) (“atomizer”) (“permeable”) (“porous”)
Patent Owner’s Exhibits	
Exhibit	Description
2001	IPR2015-00859, Paper 9, Decision Denying Institution - September 16, 2015
2002	<i>Kinetic Tech, Inc. v. Skyworks Solutions, Inc.</i> , Case IPR2014-00529, Paper 8, Decision Denying Institution of <i>Inter Partes</i> Review - September 23, 2014
2003	<i>Fontem v. Logic Tech. Dev. LLC</i> , Case No.14-cv-01654 (C.D. Cal.), Dkt. 20, Proof of Service of Complaint – March 12, 2014
2004	<i>Fontem v. Logic Tech. Dev. LLC</i> , Case No.14-cv-01654 (C.D. Cal.), Dkt. 24, Answer to First Amended Complaint - May 2, 2015
2005	Press Release – JT Acquires Logic, April 30, 2015, http://www.jti.com/media/news-releases/jt-acquires-logic-leading-independent-us-e-cigarette-company/ (last visited October 20, 2015)
2006	Press Release – JT Completes Acquisition of Logic, July 28, 2015, http://www.jti.com/media/news-releases/jt-completes-acquisition-leading-us-e-cigarette-company-logic/ (last visited October 20, 2015)
2007	IPR2015-01299 Paper 5 Petitioners’ Updated Mandatory Notices - August 17, 2015

2008	IPR2015-01301 Paper 6 Petitioners' Updated Mandatory Notices - August 17, 2015
2009	IPR2015-01302 Paper 5 Petitioners' Updated Mandatory Notices - August 17, 2015
2010	IPR2015-01304 Paper 5 Petitioners' Updated Mandatory Notices - August 17, 2015
2011	<i>Fontem v. NJOY</i> , Case No.14-cv-01645 (C.D. Cal.), Dkt. 231 Application to Appear <i>Pro Hac Vice</i> - George Jordan, September 4, 2015
2012	<i>Fontem v. NJOY</i> , Case No.14-cv-01645 (C.D. Cal.), Dkt. 232 Application to Appear <i>Pro Hac Vice</i> - Eric Swenson, September 4, 2015
2013	<i>Fontem v. NJOY</i> , Case No.14-cv-01645 (C.D. Cal.), Dkt. 251 Defendants' Motion to Exclude Expert Testimony – September 17, 2015
2014	<i>Fontem v. NJOY</i> , Case No.14-cv-01645 (C.D. Cal.), Dkt. 257 Logic's Motion for Summary Judgment of Non Infringement – September 17, 2015
2015	<i>Fontem v. NJOY</i> , Case No.14-cv-01645 (C.D. Cal.), Dkt. 254 Defendants' Motion for Summary Judgment of Invalidity - Sept. 17, 2015
2016	<i>Gen. Electric Co. v. Transdata, Inc.</i> , Case IPR2014-01380, Paper 34, Decision Denying Institution of <i>Inter Partes</i> Review PTAB – April 15, 2015
2017	<i>VMWare v. Good Tech. Software, Inc.</i> , Case IPR2015-00031, Paper 11, Decision Denying Institution of <i>Inter Partes</i> Review PTAB – March 6, 2015
2018	New Oxford American Dictionary, 2001

2019	IPR2015-00859, Paper 5, Patent Owner's Preliminary Response to Petition for <i>Inter Partes</i> Review of U.S. Patent No. 8,365,742, June 20, 2015
2020	<i>Reserved</i>
2021	<i>Fontem v. NJOY</i> , Case No.14-cv-01645 (C.D. Cal.), Dkt. 34, Revised Joint Claim Construction and Prehearing Statement, September 30, 2014
2022	<i>Fontem v. Logic Tech. Dev. LLC</i> , Case No.14-cv-01654 (C.D. Cal.), Dkt. 47, Order re Consolidation, January 22, 2015
2023	<i>Fontem v. Logic Tech. Dev. LLC</i> , Case No.14-cv-01654 (C.D. Cal.), Dkt. 1, Complaint, March 5, 2014
2024	Transcript of November 16, 2015 Conference Call
2025	CONFIDENTIAL Settlement Agreement regarding JT International. S.A. and Fontem Holdings 1 B.V.

Respectfully submitted,

December 4, 2015

By: /Michael J. Wise/
 Michael J. Wise
 Reg. No. 34,047
PERKINS COIE LLP
 1888 Century Park East, Suite 1700
 Los Angeles, CA 90067
 Phone: 310-788-3210
 Facsimile: 310-788-3399
MWise@PerkinsCoie.com

Lead Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the following document has been served in its entirety by filing the **PATENT OWNER'S SUBMISSION OF CONFIDENTIAL EXHIBIT 2025 AND CURRENT EXHIBIT LIST** through the Patent Review Processing System, as well as by causing the aforementioned document to be electronically mailed, pursuant to the parties' agreement, to the following attorneys of record for the Petitioners listed below:

Erik G. Swenson, Lead Counsel
George W. Jordan III, Backup Counsel
Norton Rose Fulbright US LLP
erik.g.swenson@nortonrosefulbright.com
george.jordan@nortonrosefulbright.com

Dated: December 4, 2015

/Amy Candeloro/

Paralegal
PERKINS COIE LLP